

## Re: Questions about SOGI page in Subjects Planned

Karen Battle (CENSUS/POP FED)

Fri 2/3/2017 6:25 PM

To: Amy Smith (CENSUS/POP FED) <Amy.Symens.Smith@census.gov>; Jason Devine (CENSUS/POP FED) <Jason.E.Devine@census.gov>; Roberto Ramirez (CENSUS/POP FED) <Roberto.R.Ramirez@census.gov>; Colleen Hughes Keating (CENSUS/POP FED) <colleen.hughes.keating@census.gov>;

Hi Amy,

Yes, send forward this to Marissa. Thanks!

**Karen Battle**

Division Chief

Population Division

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**From:** Amy Smith (CENSUS/POP FED)

**Sent:** Tuesday, January 31, 2017 4:42 PM

**To:** Karen Battle (CENSUS/POP FED); Jason Devine (CENSUS/POP FED); Roberto Ramirez (CENSUS/POP FED)

**Subject:** Re: Questions about SOGI page in Subjects Planned

Hello,

Below I provide a response to the 3 questions Marisa asked. The 2nd question is the bulk of our response so I've pasted it below and also provided it in a word document. I've reviewed the response with Roberto and discussed with Christine.

Karen - Once you've had a chance to review please let me know how to proceed.

Thanks, Amy

Here's responses to the 3 questions Marisa asked:

1. I believe we are only considering SOGI for the ACS. May we remove "2020 Census" from "Potential topic for 2019 ACS/2020 Census?"

Yes please remove "2020 Census". I believe the last version of this document indicated SOGI measures were only being considered for the ACS. As a member of the OMB IWG on Measuring SOGI we've looked closely into measures in Federal Surveys, only. Last year I heard from a group of visitors from Nepal about their work to include a gender identity measure in their Census. Despite the desire by many interest groups the concept was deemed too sensitive to measure in the census. Our current research has focused on measure in surveys. More research would be needed to consider the feasibility of including a gender identity measure in an enumeration of the entire population.

2. ESC decided that we will use "Gender" to cover the current sex question. This is consistent with the terms used in 1997 and 2007. Given that decision, are we still comfortable with the following sentence on the SOGI page? **"QUESTIONS ABOUT A PERSON'S SEX AT BIRTH, CURRENT GENDER IDENTITY, AND SEXUAL ORIENTATION COULD BE USED TO CREATE STATISTICS ABOUT THE LESBIAN, GAY, BISEXUAL AND TRANSGENDER POPULATION"**

While ACSO & SEHSD are fine with this sentence and specifically the phrases "a person's sex at birth" and "current gender identity" here are some things to consider:

- It may be confusing to Congressional Staffs reviewing our submission to see a reference to "a person's sex at birth" when the topic for our question "What is your sex?" is labeled "Gender". The relationship between sex and gender is complex and not easy to convey in these brief materials.
- The existing question "What is your sex?" with response options of male and female intentionally collects information about one's biological sex. We explain this in our help text, discuss this on our website, and provide this information to data users that contact us directly. Agencies ask the U.S. Census Bureau for these data specifically to meet a programmatic and legislative need, and we have asked this question since the first census. If we were to change our sex data collection to be more in-line with the way gender identity is measured, I would imagine that we would need to inform agencies using our tabulations by sex that we are changing the question and have evidence that this will not change response patterns significantly.[\[1\]](#)
- It seems premature to give Congress insights into the measure we might use to estimate the transgender population when proposed topic question wording is not due until March 31, 2018. The Office of Management and Budget Interagency Working Group on Measuring Sexual Orientation and Gender Identity recently released a series of papers that outline current gender identity measures used in Federal survey. There are two general approaches to measuring gender identity, one being a two-step approach that asks for sex assigned at birth followed by current gender identity. By using the words "a person's sex assigned at birth" and "current gender identity" it might lead persons informed about gender identity research to think we've already chosen a measure.[\[2\]](#) By removing references to "a person's sex at birth"

along with “current gender identity” and simply referencing “gender identity”, we propose the topic but not specifically how to measure.

For these reasons, I recommend we modify the sentence in question to:

“Questions about a person’s ~~sex at birth, current~~ gender identity, and sexual orientation could be used to create statistics about the lesbian, gay, bisexual and transgender population.”

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[1] Matt Jans (California Health Interview Survey (CHIS)) recently indicated he is exploring this topic but does not have yet summarized findings or a recommendation. Specifically he is looking at response differences between a traditional biological sex question like “What is your sex?” compared to “What sex were you assigned at birth, on your original birth certificate?” The latter question is usually followed with a current gender question, which asks, “Do you currently describe yourself as male, female or transgender?”

[2] The William Institute recommends the two-step approach when it’s possible to add a question to a survey and modify the standard sex question (GenIUSS 2014). In July 2016, a two-step gender identity question was added to the National Crime Victimization Survey, modeled after the California Health Interview Survey. However, there are four other Federal surveys that successfully use a single-question approach to measuring gender identity.

3. Would you like to see any other changes to this subject page in the final version of the Subjects Planned document?

Yes. We would like to see any additional changes.

---

**From:** Amy Smith (CENSUS/POP FED)  
**Sent:** Tuesday, January 31, 2017 10:53 AM  
**To:** Karen Battle (CENSUS/POP FED); Jason Devine (CENSUS/POP FED); Roberto Ramirez (CENSUS/POP FED)  
**Subject:** Re: Questions about SOGI page in Subjects Planned

Hi Karen,

Yes I understand and am working on a response that I will share with you all this afternoon.

Amy

---

**From:** Karen Battle (CENSUS/POP FED)  
**Sent:** Tuesday, January 31, 2017 10:20 AM  
**To:** Jason Devine (CENSUS/POP FED); Roberto Ramirez (CENSUS/POP FED); Amy Smith (CENSUS/POP FED)  
**Subject:** Fw: Questions about SOGI page in Subjects Planned

Please ensure that we do not just write back - "We agree with ACSO." POP needs to thoughtfully form its own response to the questions and provide that to Marissa - regardless of whether or not we agree with ACSO. We need to make sure we do this to establish ourselves as the authority on this subject matter.

**Karen Battle**  
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**From:** Roberto Ramirez (CENSUS/POP FED)  
**Sent:** Tuesday, January 31, 2017 10:10 AM  
**To:** Karen Battle (CENSUS/POP FED)  
**Subject:** Fw: Questions about SOGI page in Subjects Planned

FYI

**Roberto Ramirez**  
ADC, Special Population Statistics  
Population Division  
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**From:** Christine Flanagan Borman (CENSUS/POP FED)  
**Sent:** Tuesday, January 31, 2017 9:50 AM  
**To:** Roberto Ramirez (CENSUS/POP FED); Amy Smith (CENSUS/POP FED); Thomas A File (CENSUS/SEHSD FED)  
**Cc:** Colleen Hughes Keating (CENSUS/POP FED)  
**Subject:** Fw: Questions about SOGI page in Subjects Planned

Hi Roberto, Amy, and Tom,

Please see Marisa's original question below regarding the Subjects to Congress SOGI one-pager and Jennifer Ortman's reply. Do you agree with Jennifer Ortman's response?

Thanks!

---

**Christine Flanagan Borman**

Survey Statistician  
Decennial Programs Branch  
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**From:** Jennifer M Ortman (CENSUS/ACSO FED)  
**Sent:** Monday, January 30, 2017 4:13 PM  
**To:** Marisa Tegler Hotchkiss (CENSUS/DCMD FED); Colleen Hughes Keating (CENSUS/POP FED); Christine Flanagan Borman (CENSUS/POP FED); Jennifer W Reichert (CENSUS/ACSO FED)  
**Subject:** Re: Questions about SOGI page in Subjects Planned

Hi Marisa,

Here's ACSO's response:

- Yes, we are only considering SOGI for the ACS so 2020 Census should be removed.
- We're fine with the wording of the sentence on the SOGI page.
  - To measure gender identity, we must ask respondents to provide information specifically about their *sex at birth* and how they *currently describe themselves*. The current question asking about each household members sex does not cover either of these components, respondents could be providing sex or gender in their response and we would not know

whether there is a difference between their sex at birth and current gender identity. I anticipate that, if we were to implement these question, we'd expect to ask the full two-part question as implemented in other surveys and we would only ask for the population that meets an age threshold (e.g., 15+).

- Yes, we would like to see any other changes to this page in the final version of the document.

Jennifer

---

**From:** Marisa Tegler Hotchkiss (CENSUS/DCMD FED)

**Sent:** Monday, January 30, 2017 3:26 PM

**To:** Colleen Hughes Keating (CENSUS/POP FED); Christine Flanagan Borman (CENSUS/POP FED); Jennifer M Ortman (CENSUS/ACSO FED); Jennifer W Reichert (CENSUS/ACSO FED)

**Subject:** Questions about SOGI page in Subjects Planned

Hello,

For the SOGI page in the *Subjects Planned for the 2020 Census and the ACS* (current version attached), I have a couple of last minute questions below. Colleen and Christine, would you please let me know POP's preference? Jennifer and Jennifer, would you please let me know ACSO's preference?

- I believe we are only considering SOGI for the ACS. May we remove "2020 Census" from "Potential topic for 2019 ACS/2020 Census?"
- ESC decided that we will use "Gender" to cover the current sex question. This is consistent with the terms used in 1997 and 2007. Given that decision, are we still comfortable with the following sentence on the SOGI page? **"QUESTIONS ABOUT A PERSON'S SEX AT BIRTH, CURRENT GENDER IDENTITY, AND SEXUAL ORIENTATION COULD BE USED TO CREATE STATISTICS ABOUT THE LESBIAN, GAY, BISEXUAL AND TRANSGENDER POPULATION"**

Would you like to see any other changes to this subject page in the final version of the Subjects Planned document?

Thank you very much!

Marisa

**Marisa T. Hotchkiss, PMP**, Chief, Content, Language, and Data Products Branch, Decennial Census Management Division, U.S. Census Bureau  
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## Re: Questions about SOGI page in Subjects Planned

Colleen Hughes Keating (CENSUS/POP FED)

Mon 2/6/2017 4:44 PM

Sent Items

To: Jennifer M Ortman (CENSUS/ACSO FED) <Jennifer.M.Ortman@census.gov>; Marisa Tegler Hotchkiss (CENSUS/DCMD FED) <marisa.tegler.hotchkiss@census.gov>; Christine Flanagan Borman (CENSUS/POP FED) <christine.flanagan.borman@census.gov>; Jennifer W Reichert (CENSUS/ACSO FED) <Jennifer.W.Reichert@census.gov>;

Cc: Amy Smith (CENSUS/POP FED) <Amy.Symens.Smith@census.gov>;

1 attachments (17 KB)

Response to a person's sex at birth and current gender identity\_CK updates v2.docx;

Good afternoon,

I apologize for the delayed response. Please see the attached document that compiles POP's responses to the questions.

Amy, please feel free to respond if you do not feel as though I documented your responses accurately.

---

**Colleen Keating**

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---

**From:** Jennifer M Ortman (CENSUS/ACSO FED)**Sent:** Monday, January 30, 2017 4:13:06 PM**To:** Marisa Tegler Hotchkiss (CENSUS/DCMD FED); Colleen Hughes Keating (CENSUS/POP FED); Christine Flanagan Borman (CENSUS/POP FED); Jennifer W Reichert (CENSUS/ACSO FED)**Subject:** Re: Questions about SOGI page in Subjects Planned

Hi Marisa,

Based on questions from Decennial Census Management Division on Sexual Orientation and Gender Identity, Population Division request changes. Justifications for these changes also are provided.

**Population Division request “2020 Census” is removed as a potential topic.**

**The Sexual Orientation and Gender Identity subject page states:**

**“Questions about a person’s sex at birth, current gender identity, and sexual orientation could be used to create statistics about the lesbian, gay, bisexual and transgender population.”**

**Population Division request modifying the sentence to:**

**“Questions about a person’s gender identity and sexual orientation could be used to create statistics about the lesbian, gay, bisexual and transgender population.”**

Population Division would like to see any additional changes.

The last version of the Subjects Planned for the 2020 Census and American Community Survey indicated SOGI measures were only being considered for the ACS. As members of the OMB IWG on Measuring SOGI we’ve looked closely into measures in Federal Surveys, only.

The topic for “What is your sex?” question is labeled “Gender.” We should be consistent, and use this term throughout the document.

The existing question “What is your sex?” with response options of male and female intentionally collects information about one’s biological sex. We explain this in our help text, discuss this on our website, and provide this information to data users that contact us directly. Agencies ask the U.S. Census Bureau for these data specifically to meet a programmatic and legislative need, and we have asked this question since the first census. If we were to change our sex data collection to be more in-line with the way gender identity is measured, agencies would need to be informed using our tabulations by sex that we are changing the question and have evidence that this will not change response patterns significantly.<sup>1</sup>

It seems premature to give Congress insights into the measure we might use to estimate the transgender population when proposed topic question wording is not due until March 31, 2018. The Office of Management and Budget Interagency Working Group on Measuring Sexual Orientation and Gender Identity recently released a series of papers that outline current gender identity measures used in Federal survey. There are two general approaches to measuring gender identity, one being a two-step approach that asks for sex assigned at birth followed by current gender identity. By using the words “a person’s sex assigned at birth” and “current gender identity” it might lead persons informed about gender identity research to think we’ve already chosen a measure.<sup>2</sup> By removing references to “a person’s sex at birth” along with “current gender identity” and simply referencing “gender identity,” we propose the topic but not specifically how to measure.

---

<sup>1</sup> Matt Jans (California Health Interview Survey (CHIS)) recently indicated he is exploring this topic but does not have yet summarized findings or a recommendation. Specifically he is looking at response differences between a traditional biological sex question like “What is your sex?” compared to “What sex were you assigned at birth, on your original birth certificate?” The latter question is usually followed with a current gender question, which asks, “Do you currently describe yourself as male, female or transgender?”

<sup>2</sup> The William Institute recommends the two-step approach when it’s possible to add a question to a survey and modify the standard sex question (GenIUSS 2014). In July 2016, a two-step gender identity question was added to the National Crime Victimization Survey, modeled after the California Health Interview Survey. However, there are four other Federal surveys that successfully use a single-question approach to measuring gender identity.



Here's ACSO's response:

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- We're fine with the wording of the sentence on the SOGI page.
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- Yes, we would like to see any other changes to this page in the final version of the document.

Jennifer

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**From:** Marisa Tegler Hotchkiss (CENSUS/DCMD FED)

**Sent:** Monday, January 30, 2017 3:26 PM

**To:** Colleen Hughes Keating (CENSUS/POP FED); Christine Flanagan Borman (CENSUS/POP FED); Jennifer M Ortman (CENSUS/ACSO FED); Jennifer W Reichert (CENSUS/ACSO FED)

**Subject:** Questions about SOGI page in Subjects Planned

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For the SOGI page in the *Subjects Planned for the 2020 Census and the ACS* (current version attached), I have a couple of last minute questions below. Colleen and Christine, would you please let me know POP's preference? Jennifer and Jennifer, would you please let me know ACSO's preference?

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Would you like to see any other changes to this subject page in the final version of the Subjects Planned document?

Thank you very much!

Marisa

**Marisa T. Hotchkiss, PMP**, Chief, Content, Language, and Data Products Branch, Decennial Census  
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## Re: Comments Received: Subjects Planned for 2020 and ACS

Marisa Tegler Hotchkiss (CENSUS/DCMD FED)

Thu 1/26/2017 10:51 AM

2020

To: Christine Flanagan Borman (CENSUS/POP FED) <christine.flanagan.borman@census.gov>; Colleen Hughes Keating (CENSUS/POP FED) <colleen.hughes.keating@census.gov>;

I'm still going back and forth on the formatting with the designer and editor. Thank you for the comments below. I've forwarded them, so I hope they can be quickly addressed.

As for the questions about SOGI below, why don't I send them to you both, and to Jennifer Ortman and Tori Velkoff as questions? Then you can route to Thom File and Karen Battle for recommendations about the version we send forward. I will extract the current version of that page for the email as well.

We may not know whether SOGI will definitely be included until the 11th hour. In the email, I can propose my print two versions, rip out one option and see what the response is.

Does that work for you?

Thank you!

Marisa

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**From:** Christine Flanagan Borman (CENSUS/POP FED)

**Sent:** Tuesday, January 24, 2017 9:53 AM

**To:** Marisa Tegler Hotchkiss (CENSUS/DCMD FED); Colleen Hughes Keating (CENSUS/POP FED)

**Subject:** Re: Comments Received: Subjects Planned for 2020 and ACS

Hi Marisa,

Thank you for sending this to me. My comments regarding the format are below.

- The color of the box for the selected statutory uses is not consistent. For example, the Age selected statutory uses (page 8) is a different color than the color on the Gender selected statutory uses (page 10).
- Words within the one-pagers are still being broken across lines. For example, this happens 6 times on the Gender one-pager. It should be fixed so that words do not unnecessarily break across lines.
- Starting on page 31 (Grandparent Caregivers one-pager), it looks like the "... Data Helps Communities" is not bolded, as it was in previous one-pagers. I prefer the bolded look, but regardless, this should be consistent throughout.
- On page 41 (Industry, Occupation, and Class of Worker one-pager), the footnote is at the top of the page instead of at the bottom of the page. This happens on other one-pagers and should be fixed

throughout. The font of the footnote also looks different than the rest of the text on the screen - the font should be consistent.

- On page 45 (Language Spoken at home one-pager), the intro sentence is not in all caps.
- On page 59 (SNAP/Food Stamps one-pager), the footnote is in the middle of the page after all of the text. However, I think it should be moved to the bottom of the page. The font of the footnote also looks different than the rest of the text on the screen - the font should be consistent.

Additionally, a couple questions regarding content:

- You indicated that the title of the Fertility one-pager may be updated to say "Fertility (Birth in the past year)". When will this change be decided?
- You indicated that the SOGI one-pager may be changed to only apply to the 2019 ACS (by deleting 2020 Census). When will this change be decided?
- One the SOGI one-pager, the sentence "**QUESTIONS ABOUT A PERSON'S SEX AT BIRTH, CURRENT GENDER IDENTITY, AND SEXUAL ORIENTATION COULD BE USED TO CREATE STATISTICS ABOUT THE LESBIAN, GAY, BISEXUAL AND TRANSGENDER POPULATION**" is not consistent with the change on the "Sex" one-pager to change all references from "sex" to "gender."
- Is there any update on when the decision will be made regarding including the SOGI one-pager in the Subjects to Congress?

---

**Christine Flanagan Borman**

Survey Statistician  
Decennial Programs Branch  
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**From:** Marisa Tegler Hotchkiss (CENSUS/DCMD FED)  
**Sent:** Tuesday, January 24, 2017 8:34:54 AM  
**To:** Christine Flanagan Borman (CENSUS/POP FED)  
**Subject:** Fw: Comments Received: Subjects Planned for 2020 and ACS

What do you think about this formatting?  
Marisa

---

**From:** Faye E Brock (CENSUS/PIO FED)  
**Sent:** Monday, January 23, 2017 2:35 PM  
**To:** Marisa Tegler Hotchkiss (CENSUS/DCMD FED)

**Cc:** Andrew M Quach (CENSUS/PIO FED)

**Subject:** Re: Comments Received: Subjects Planned for 2020 and ACS

Hi Marisa,

I've attached the pdf with some of the updates you asked about. Please see **my** comments and **Jan's** comments in the e-mail below for explanations.

**Faye Brock**

Editor

Graphics and Editorial Services Branch

Public Information Office

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**From:** Janet S Sweeney (CENSUS/PIO FED)

**Sent:** Thursday, January 19, 2017 2:16 PM

**To:** Faye E Brock (CENSUS/PIO FED)

**Cc:** Andrew M Quach (CENSUS/PIO FED)

**Subject:** Re: Comments Received: Subjects Planned for 2020 and ACS

See my comments below in Green. See changes to **Title** paragraph style and **body text spanner** paragraph style in version 4. Line breaks may need to be adjusted so that the title reads nicely.

Wherever needed, don't break the **help communities** paragraph, even if the second column is shorter than the first.

Also fixed the document footnotes options.

If Marissa is still not happy, we can try a text box for the first paragraph or adding some imagery.

**Janet Sweeney**, Creative Services Manager, Graphics and Editorial Services Branch, Public Information Office, U.S. Census Bureau

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---

**From:** Marisa Tegler Hotchkiss (CENSUS/DCMD FED)

**Sent:** Wednesday, January 18, 2017 4:00 PM

**To:** Faye E Brock (CENSUS/PIO FED); Andrew M Quach (CENSUS/PIO FED)

**Subject:** Comments Received: Subjects Planned for 2020 and ACS

Hello,

Thanks for taking my call Faye. Per our conversation, these are some of the comments I've received so far:

1. People are confused about the balanced columns, especially where there is a large white space or a break in the middle of a sentence. Could we consider any of the following possibilities: **Help with 1–8, please.**
  1. Can we put all of the text in the first column? (I think you answered below that this would not be possible.)
  2. Can we move the table up to start in that white space?
  3. Can we add an image to cover the white space?
  4. (Some combination of 2 and 3).
  5. Can we make the first sentence (currently bold and all caps) and the first paragraph more graphical (border, shading, color, font, etc.)
  6. Can we put the first sentence (currently bold and all caps) and the first paragraph in the first column, and the "\_\_\_ data help communities" in the second column throughout?
  7. (Some combination of 5 and 6).
  8. Can we start the second column a little lower on the page so that the headers within the "\_\_\_ data help communities" section don't compete for the reader's eye? **Yes. Title and ... question asked since... can span columns.**
2. Reviewers don't like the blue shading of some of the statutes (they were looking for a legend to explain why some were shaded differently). Can we give all rows the same shading? **I changed the tint to 10% on all rows.**
3. Please remove "Current Population Reports" from the cover. **done**
4. Can we add the 2020 Census logo? **Where? No. The 2020 Census logo is not approved for use prior to the 2018 Census Test.**
5. Please remove blank pages 2, 4, 74, 76, and 78 (and do we need 77 for stylistic reasons)? **only a few should be removed ( I took care of those). Blank pages that are left, are needed for printing purposes.**

I think you mentioned that you would discuss with Jan to see what is possible. Thank you for all of this great work, and I look forward to the outcome of the conversation.

Thank you!

Marisa Hotchkiss

**Marisa T. Hotchkiss, PMP**, Chief, Content, Language, and Data Products Branch, Decennial Census Management Division, U.S. Census Bureau  
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---

**From:** Faye E Brock (CENSUS/PIO FED)  
**Sent:** Wednesday, January 18, 2017 1:51 PM  
**To:** Marisa Tegler Hotchkiss (CENSUS/DCMD FED); Andrew M Quach (CENSUS/PIO FED)  
**Subject:** Re: Subjects Planned for 2020 and ACS

Hi Marisa,

The format we used is per Census style and standards. The columns are to be as balanced as possible without leaving less than two lines by themselves (as in a newspaper). The subhead1 and subhead2 are also Census style and standard.

Please let me know if you have any questions,

**Faye Brock**

Editor

Graphics and Editorial Services Branch

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**From:** Marisa Tegler Hotchkiss (CENSUS/DCMD FED)  
**Sent:** Wednesday, January 18, 2017 1:38 PM  
**To:** Faye E Brock (CENSUS/PIO FED); Andrew M Quach (CENSUS/PIO FED)  
**Subject:** Re: Subjects Planned for 2020 and ACS

Hello,

Thank you! I'm not sure I understand how the individual subject pages are laid out. A lot of them seem to have page breaks half-way down the page such that column one ends halfway and continues in column 2. I think it would be better to fill all of column one (and keep all of the "\_\_\_ data help communities" content together).

We really want the audience to focus on the first sentence (love the bold and all caps), but also the next paragraph. Could we do anything to make that larger, or otherwise call it out more?

Thanks again!

Marisa

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**From:** Faye E Brock (CENSUS/PIO FED)  
**Sent:** Wednesday, January 18, 2017 11:02 AM  
**To:** Marisa Tegler Hotchkiss (CENSUS/DCMD FED)  
**Cc:** Andrew M Quach (CENSUS/PIO FED)  
**Subject:** Subjects Planned for 2020 and ACS

Hi Marisa,

I've attached the pdf for your review.

Have a good day,

**Faye Brock**

Editor

Graphics and Editorial Services Branch

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## Re: 2020 Subjects to Congress - Second Review

Christine Flanagan Borman (CENSUS/POP FED)

Fri 11/18/2016 4:01 PM

To: Marisa Tegler Hotchkiss (CENSUS/ADDC FED) <marisa.tegler.hotchkiss@census.gov>;

Cc: Colleen Hughes Keating (CENSUS/POP FED) <colleen.hughes.keating@census.gov>;

Hi Marisa,

POP-SEHSD will review the 2020 Subjects to Congress after they have been mocked up. Do you have any idea of when that will be done and how long POP-SEHSD will have to review then? (We'd prefer at least two weeks if possible).

If the DOJ request for SOGI meets the level of mandatory or required, I will coordinate with you to have the SOGI one-pager rewritten. I would definitely loop in Amy and Jennifer, as well as others from POP and SEHSD - including the division chiefs. Please let me know when you know!

Thanks.

---

**Christine Flanagan Borman**

Survey Statistician

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**From:** Marisa Tegler Hotchkiss (CENSUS/ADDC FED)

**Sent:** Thursday, November 17, 2016 9:03:39 AM

**To:** Christine Flanagan Borman (CENSUS/POP FED)

**Cc:** Colleen Hughes Keating (CENSUS/POP FED)

**Subject:** Re: 2020 Subjects to Congress - Second Review

Hello,

The text ([Subjects v4](#) is the version they have) is in the formal review process for Deb, Shirin, and Lisa. We started the routing on the 7th so I was hoping I would have it back a little earlier...but I'm still hoping to have it back by the 22nd.

As soon as I have it back, I will give to CNMP to put into the design. They have a cover design already (attached), but they will have to mock-up the text. (We're removing the "Current Population Reports" tag line from the cover, btw.)

Would you prefer to start another SME review while CNMP is putting the text into the design or after we have a mock-up? (Maybe we could do both if people have time to review now?)

Legal is also reviewing the citations in the document and a set of new uses DOJ provided for SOGI. If any of the new DOJ uses are mandatory or required, I will work with ACSO and your staff (assuming you'll loop in Jennifer Ortman and Amy Symens Smith) to rewrite and review the SOGI subject document.

Thanks!  
Marisa

**Marisa T. Hotchkiss, PMP**, Decennial Communications Coordination Office, U.S. Census Bureau  
Office 301.763.2891 Room (b) (6) marisa.tegler.hotchkiss@census.gov  
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---

**From:** Christine Flanagan Borman (CENSUS/POP FED)  
**Sent:** Thursday, November 17, 2016 8:16 AM  
**To:** Marisa Tegler Hotchkiss (CENSUS/ADDC FED)  
**Cc:** Colleen Hughes Keating (CENSUS/POP FED)  
**Subject:** 2020 Subjects to Congress - Second Review

Hi Marisa,

According to the schedule, the Subject to Congress one-pagers should be going through final subject matter review soon (11/22/2016 - 11/29/2016). I know those dates are probably a little off, but do you have an idea on when you expect POP and SEHSD will have a second opportunity to review?

Thanks!

---

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## Fw: SO and GI proposed for ACS

Amy Smith (CENSUS/POP FED)

Mon 1/9/2017 12:46 PM

To: Karen Battle (CENSUS/POP FED) <karen.battle@census.gov>; Roberto Ramirez (CENSUS/POP FED) <Roberto.R.Ramirez@census.gov>;

Cc: Colleen Hughes Keating (CENSUS/POP FED) <colleen.hughes.keating@census.gov>; Christine Flanagan Borman (CENSUS/POP FED) <christine.flanagan.borman@census.gov>;

FYI - I guess we will see what Marisa says.

---

**From:** Nancy A Bates (CENSUS/ADRM FED)  
**Sent:** Monday, January 9, 2017 12:40 PM  
**To:** Marisa Tegler Hotchkiss (CENSUS/DCMD FED)  
**Cc:** Thomas A File (CENSUS/SEHSD FED); Amy Smith (CENSUS/POP FED)  
**Subject:** SO and GI proposed for ACS

Hi Marissa:

John Abowd asked me to review the documents for Congress for subjects planned for the 2020 Census and ACS.

Can you tell me the rationale to present both sexual orientation and gender identity as a *single* topic of new content to Congress for the ACS ? As they are very distinct constructs measured by very different questions, it strikes me as odd. I realize that in order to estimate the entire LGBT population, you need to measure both, but people unfamiliar with the topic often conflate SO and GI. There are other federal surveys (e.g. the NHIS) where we measure SO but not GI. I worry that combining the two may muddy the waters for the ACS submission.

thanks,

**Nancy A. Bates**  
Senior Researcher for Survey Methodology  
Research and Methodology Directorate  
U.S. Census Bureau

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nancy.a.bates@census.gov

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## Re: Subjects to Congress - Version 9 Review

Amy Smith (CENSUS/POP FED)

Mon 1/9/2017 12:09 PM

To: Colleen Hughes Keating (CENSUS/POP FED) <colleen.hughes.keating@census.gov>; Roberto Ramirez (CENSUS/POP FED) <Roberto.R.Ramirez@census.gov>;

Cc: Christine Flanagan Borman (CENSUS/POP FED) <christine.flanagan.borman@census.gov>;

Thanks Colleen,

And I've added Roberto to this email to let you all know that Nancy Bates just called me and feels strongly that the SO and GI subject matters should be separate when they go to Congress. She's calling Marisa to discuss why they were ever put together and said she may call Enrique. I told her in talking points we've always referred to them as one topic and Enrique (for the Director's use) has been comfortable with that in talking points and the OMB SOGI group is named as such too with both topics together. She's concerned that if they are together, if only one is objected too strongly by Congress, neither one will be included. I think she's thinking that SO may have a better chance than GI, but I don't know for fact.

Amy

---

**From:** Colleen Hughes Keating (CENSUS/POP FED)  
**Sent:** Monday, January 9, 2017 12:03 PM  
**To:** Amy Smith (CENSUS/POP FED)  
**Cc:** Christine Flanagan Borman (CENSUS/POP FED)  
**Subject:** Re: Subjects to Congress - Version 9 Review

Christine contacted Marissa, but has not received an answer.

---

**Colleen Keating**

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**From:** Amy Smith (CENSUS/POP FED)  
**Sent:** Monday, January 9, 2017 10:08:10 AM  
**To:** Colleen Hughes Keating (CENSUS/POP FED)  
**Cc:** Christine Flanagan Borman (CENSUS/POP FED)  
**Subject:** Fw: Subjects to Congress - Version 9 Review

Hi Ladies

Any word on what Enrique submitted to Marisa?

amy

---

**From:** Colleen Hughes Keating (CENSUS/POP FED)  
**Sent:** Friday, January 6, 2017 8:52 AM  
**To:** Amy Smith (CENSUS/POP FED); Christine Flanagan Borman (CENSUS/POP FED); Jason Devine (CENSUS/POP FED); Roberto Ramirez (CENSUS/POP FED)  
**Cc:** Andrew W Roberts (CENSUS/POP FED); Stella Ogunwole (CENSUS/POP FED); Julie Meyer (CENSUS/POP FED)  
**Subject:** Re: Subjects to Congress - Version 9 Review

Thanks Amy. It is my understanding that Enrique is writing justification on why it should be labeled "sex" instead of "gender." His comments are due to Marissa by COB today.

---

**Colleen Keating**

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**From:** Amy Smith (CENSUS/POP FED)  
**Sent:** Thursday, January 5, 2017 1:05:45 PM  
**To:** Christine Flanagan Borman (CENSUS/POP FED); Jason Devine (CENSUS/POP FED); Roberto Ramirez (CENSUS/POP FED)  
**Cc:** Andrew W Roberts (CENSUS/POP FED); Colleen Hughes Keating (CENSUS/POP FED); Stella Ogunwole (CENSUS/POP FED); Julie Meyer (CENSUS/POP FED)  
**Subject:** Re: Subjects to Congress - Version 9 Review

Hi Christine,

I've included a comment in the document (and also pasted below) relating to the sex/gender content. Roberto and I decided that the best thing to do is document why it should be labeled "sex" instead of "gender". I've also discussed it with Stella.

I've looked over the SOGI/gender identity section and have no comments. It all looks fine.

Let me know please if you would like to discuss.

Amy

This topic should be called "Sex" as it was in the earlier version and all the uses of the word "gender" below should revert back to "sex." While this concept was referred to as "gender" when this document was prepared for the 2010 Census, we've learned much about the difference between sex and gender since 2010. Mid-decade we added information to the sex and age pages at census.gov to assist the public in understanding that these terms are not interchangeable and we are mandated to collect information on the sex composition of the U.S. population <https://www.census.gov/topics/population/age-and-sex/about.html>. Gender, and more precisely gender identity, is a socially constructed concept and not what we collect in the decennial census. The current ACS "Why We Ask" document correctly refers to a "sex" question, not "gender" <https://www2.census.gov/programs-surveys/acs/about/qbyqfact/2016/Sex.pdf>. Further evidence of the scientific work currently underway to better understand measurement of gender identity is OMB's Interagency Working Group on this topic.

---

## About - Census

[www.census.gov](http://www.census.gov)

The significance of age and sex data. In general, the U.S. population continues to grow older with a median age over 40 years old in many states.

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## Why We Ask: Sex - census.gov

[www2.census.gov](http://www2.census.gov)

1 American Community Survey (ACS) Why We Ask: Sex We ask about a person's sex to create statistics about men and women and to present other estimates, such as ...



---

**From:** Christine Flanagan Borman (CENSUS/POP FED)

**Sent:** Wednesday, January 4, 2017 5:05 PM

**To:** Jason Devine (CENSUS/POP FED); Roberto Ramirez (CENSUS/POP FED); Edward Welniak (CENSUS/SEHSD FED); Trudi J Renwick (CENSUS/SEHSD FED); Jennifer Cheeseman Day (CENSUS/SEHSD FED); Thomas A File (CENSUS/SEHSD FED)

**Cc:** Nicole Scanniello (CENSUS/SEHSD FED); Kurt Bauman (CENSUS/SEHSD FED); Rose Kreider (CENSUS/SEHSD FED); John Hisnanick (CENSUS/SEHSD FED); Marina S Vornovitsky (CENSUS/SEHSD FED); Ellen Wilson (CENSUS/SEHSD FED); Jonathan L Rothbaum (CENSUS/SEHSD FED); Lynda Laughlin (CENSUS/SEHSD FED); Alison Fields (CENSUS/SEHSD FED); Rebecca L Chenevert (CENSUS/SEHSD FED); Ashley Edwards (CENSUS/SEHSD FED); Kelly A Holder (CENSUS/SEHSD FED); Merarys Rios (CENSUS/POP FED); Stephanie Ewert (CENSUS/POP FED); Hyon Shin (CENSUS/POP FED); Leanna Mellott (CENSUS/POP FED); Andrew W Roberts (CENSUS/POP FED); Colleen Hughes Keating (CENSUS/POP FED); Amy Smith (CENSUS/POP FED)

**Subject:** Subjects to Congress - Version 9 Review

Good afternoon,

We have received version 9 of the Subjects to Congress.

Currently, the Executive Steering Committee is reviewing this version of the Subjects to Congress and will provide comments by COB January 6. After that, CNMP will complete the formatting of the one-pagers. Once CNMP provides an official formatted version of the Subjects to Congress, COMM, ACS, Decennial (including ACS and Decennial Content Councils), and POP-SEHSD will review the formatted version of the Subjects to Congress. We will be providing the formatted version to Karen Battle and David Waddington for review.

Version 9 of the Subjects to Congress is available [here](#). This document has been reviewed by executive staff, so we would like to keep the text as close to the current version, unless it is incorrect. If you have any comments on version 9, please make comments/changes in the document **as soon as possible**.

Additional information:

- There is no need to review the selected statutes. This content has been reviewed by legal, and the format was reviewed by the Comm editor.

- There are documents from 2007, 2008, etc. on the [Subjects and Questions in the 2020 Census and ACS](#) SharePoint site for your reference.

- \* If you are unable to access the SharePoint site, please email Marisa Hotchkiss and she will grant you access.

Remember this is a high-profile document as it will go directly to Congress. If you have any questions, please email me and Colleen Keating. Thank you!

---

**Christine Flanagan Borman**

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## Re: SOGI materials

Colleen Hughes Keating (CENSUS/POP FED)

Wed 3/29/2017 12:24 PM

Sent Items

To: Amy Smith (CENSUS/POP FED) <Amy.Symens.Smith@census.gov>; Christine Flanagan Borman (CENSUS/POP FED) <christine.flanagan.borman@census.gov>;

Hi Amy,

The only information I heard was from Jason Devine saying that in the appendix, SOGI was still included with the information "proposed." I have not heard any other information. We will keep you updated if we hear more.

---

**Colleen Keating**

Chief, Decennial Programs Branch  
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colleen.hughes.keating@census.gov

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**From:** Amy Smith (CENSUS/POP FED)

**Sent:** Wednesday, March 29, 2017 9:51:19 AM

**To:** Christine Flanagan Borman (CENSUS/POP FED); Colleen Hughes Keating (CENSUS/POP FED)

**Subject:** SOGI materials

Hi ladies

I'm teleworking today. You have any insights into what's going on with the release of the SOGI materials? Was the wrong stuff with SOGI really released first and then corrected? I alerted Roberto and we thought PIO would be I touch but that hasn't happened. Do you think decennial has made a statement about the error?

---

# Sexual Orientation and Gender Identity

Potential topic for 2019 ACS/2020 Census

Some subjects are currently being evaluated to determine whether they produce data required by federal agencies. Whether these questions appear on the 2020 Census or the American Community Survey will depend on the strength of the federal uses of the resulting data, and a final determination by the Office of Management and Budget.

**QUESTIONS ABOUT A PERSON'S SEX AT BIRTH, CURRENT GENDER IDENTITY, AND SEXUAL ORIENTATION COULD BE USED TO CREATE STATISTICS ABOUT THE LESBIAN, GAY, BISEXUAL, AND TRANSGENDER POPULATION.**

Sexual orientation and gender identity questions are being evaluated and may be proposed to aid in planning and funding government programs and in evaluating other government programs and policies to ensure they fairly and equitably serve the needs of all people. These statistics could also be used to enforce laws, regulations, and policies against discrimination in society.

## **SEXUAL ORIENTATION AND GENDER IDENTITY DATA WOULD HELP COMMUNITIES:**

### **Ensure Equal Opportunity**

Knowing the sexual orientation and gender identity of people in the community in combination with information about housing, voting, language, employment, and education, helps federal, state, and local governments and communities enforce laws, regulations, and policies against discrimination based on sexual orientation or gender identity.

### **Understand Changes**

Knowing whether people of different sexual orientations and gender identities have the same opportunities in education, employment, voting, home ownership, and many other areas is of interest to researchers, advocacy groups, and policymakers.

# Subjects to Congress Update

Christine Flanagan Borman (CENSUS/POP FED)

Wed 2/15/2017 5:03 PM

To: Colleen Hughes Keating (CENSUS/POP FED) <colleen.hughes.keating@census.gov>;

Hi Colleen,

I met with Marisa today. Below is the update she provided me.

- The Census Bureau is waiting on the new Secretary of Commerce to review the Subjects to Congress - however a new Secretary to Congress has not been confirmed yet.
- The Census Bureau then needs to brief OMB (post presidential transition) again and the Interagency Council on Statistical Policy (ICSP).
- Due to the timing, the Subjects to Congress will be sent to Congress in mid to late March.
- The Census Bureau are still waiting to receive feedback from the Department of Justice on whether the justification for SOGI (Sexual Orientation and Gender Identity) meets a mandatory need.
- As a result of the various delays, the Subjects to Congress will not be binded but will be sent to Congress in binders as in previous decades.
- A letter regarding the subjects asked in the Island Areas censuses accompanies the 2020 Census and ACS Subjects to Congress. This letter has already been approved by other stakeholders. DPB is waiting for Marisa in DCMD to send it to us.
- The briefing documents are pre-decisional and have not been finalized yet. DPB is waiting for Marisa in DCMD to send them to us.
- There is a companion "why we ask" website that will be on the ACS website. The webpages for each ACS topic are being developed in sprints. The ACS Coordination Staff in SEHSD has begun coordinating this review. DPB requested that we be included in POP related webpages.

---

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## Re: Subjects to Congress: SOGI

Amy Smith (CENSUS/POP FED)

Thu 2/23/2017 2:19 PM

To: Colleen Hughes Keating (CENSUS/POP FED) <colleen.hughes.keating@census.gov>;

Cc: Roberto Ramirez (CENSUS/POP FED) <Roberto.R.Ramirez@census.gov>; Thomas A File (CENSUS/SEHSD FED) <Thomas.A.File@census.gov>;

Hi Colleen,

Thanks so much for sending this information along. I know a lot of this discussion is happening when you see Marisa in person so thanks for summarizing for me. If you need my assistance on materials please don't hesitate to stop by.

Amy

---

**From:** Colleen Hughes Keating (CENSUS/POP FED)  
**Sent:** Thursday, February 23, 2017 1:35 PM  
**To:** Amy Smith (CENSUS/POP FED)  
**Subject:** Subjects to Congress: SOGI

Update based on a meeting between Christine Borman and Marisa Hotchkiss:

- Subjects to Congress
  - The Census Bureau is waiting on the new Secretary of Commerce to review the Subjects to Congress - however a new Secretary of Commerce has not been confirmed yet. Additionally, the Census Bureau then needs to brief OMB (post presidential transition) again. This means that the Subjects to Congress will be sent to Congress in mid to late March. Remember, deadline is April 1, 2017.
  - The Census Bureau is still waiting to receive feedback from the Department of Justice on whether the justification for SOGI (Sexual Orientation and Gender Identity) meets a mandatory need.
  - A letter regarding the subjects asked in the Island Areas censuses accompanies the 2020 Census and ACS Subjects to Congress. DPB will provide this letter to POP and SEHSD division chiefs for review. DPB will also provide the associated briefing documents to POP and SEHSD division chiefs for review.

---

**Colleen Keating**

Chief, Decennial Programs Branch

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